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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,646	02/05/2004	Timothy S. Vraa	81609ASLP	5786

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EXAMINER

WALLERSON, MARK E

ART UNIT PAPER NUMBER

2626

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/772,646

Applicant(s)

VRAA ET AL.

Examiner

Mark E. Wallerson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- Paper No(s)/Mail Date 2/5/04.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Part III DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-28 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Spurr et al (Spurr) (U.S. 6,106,166).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C.

102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

With respect to claims 1 and 10, Spurr discloses a sheet media system comprising: an apparatus (10) for utilizing sheet media; and a radio-frequency identification transceiver associated with the apparatus for communicating with a transponder (54) associated with sheet media utilized by said apparatus (the abstract, lines 10-18).

With regard to claims 2, 11, and 20, Spurr discloses the apparatus is a printer for printing images on sheet media contained in packaging and the transponder us associated with the packaging (column 2, lines 37-46 and column 12, lines 22-64).

With respect to claims 3, 12, and 21, Spurr discloses the apparatus includes a base for receiving sheet media contained in packaging, and wherein the transceiver (50) is located relative to said base, such that when packaging containing said sheet media is received by the base, the transponder (54) associated with said packaging is in proximity to the transceiver (50) (figure 6 and column 8, lines 32-40).

With respect to claims 4, 13, and 22, Spurr discloses the apparatus includes a resealable, removable cartridge containing sheet media and a mechanism for opening and resealing the cartridge co that the cartridge can be removed and replaced in the apparatus (column 7, lines 33-66 and column 8, lines 51-60).

With regard to claims 5, 14, and 23, Spurr discloses the transponder stores digital data that is communicable to the transceiver (column 10, line 63 to column 11, line 19).

With respect to claims 6, 15, and 24, Spurr discloses the transponder includes read/write memory which stores media type (column 11, lines 10-19 and column 12, lines 30-64).

With regard to claims 7, 16, and 25, Spurr discloses the transponder stored a unique transponder ID (column 10, lines 63-67).

With respect to claims 8, 17, and 26, Spurr discloses the transponder stores packaging manufacturing history (column 12, lines 40-64).

With regard to claims 9, 18, and 27, Spurr discloses the transponder stores data representing the remaining number of sheets (column 13, lines 1-14).

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With respect to claim 19, Spurr discloses a printer apparatus (10) for printing images on sheet media, the printer having a source of digital images (column 8, lines 3-20), a supply for receiving printable sheet media (column 7, lines 36-49), and an image printer for printing a representation of a digital image from the source on a printable sheet media from the supply (column 7, lines 31-49); and a radio-frequency identification transceiver (50) associated with the printer apparatus (10) for communicating with a transponder (54) associated with the printable sheet media placed in the supply (column 10, lines 53-67).

With regard to claim 28, Spurr discloses the sheet media is photosensitive media and means for heat processing the media (which reads on using chemical baths) (column 7, lines 31-49).

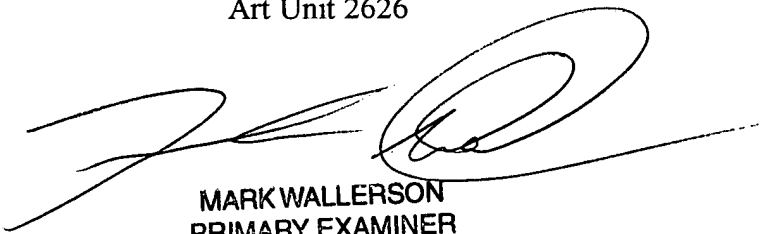
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark E. Wallerson whose telephone number is (571) 272-7470. The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson
Primary Examiner
Art Unit 2626



MARK WALLERSON
PRIMARY EXAMINER